bon How all

Mr. IVERSON hoped that motion would not be agreed Mr. IVERSON hoped that motion would not be agreed to. There were a great many House bills on the calendar to which no objection would be made. These were many of them cases where parties had gone to the Court of Chaims, and had to pay heavy fees to their counsel; they have got favorable decisions, have carried their cases to the House, and have got bills passed for their relief; and now, if the Senate fails to act upon them, the chaimants will be compelled to go through all this labor again.

Mr. CHARK said he had got tired of hearing this continual explorit saids and the proportion of the said of t

Mr. CLARK said he had got tired of hearing this continual cry about taking up the appropriation bills. When they wanted to consider the Cuba bill they were met by the appropriation bill; when the agricultural college bill was called up the appropriation bill stood in the way. Mr. C. was glad that the question was now presented in this shape: Shall we appropriate money to pay government officials, or shall we pay these poor claimants who have been knocking at our doors for years, asking the government to pay its just debts t

Mr. HUNTER replied that the senator from New Hampdoors for years, asking the

Mr. HUNTER replied that the senator from New Hampshire talked just as if the appropriation bills would pass
themselves. It must be evident that unless they were
considered they could not pass, and he was willing to
leave the question for the Senate to determine.

Mr. PUGH called attention to the fact that last Saturday the Senate was engaged upon the private calendar,
and at about half-past three o'clock there was no quorum present, and business had to be suspended; and on
that occasion the absentees were the very persons who
were most clamorous for the consideration of private
bills. He had looked at the private calendar, and did
not believe that there were six bills on it which ought to
pass.

pass.

The question being taken, the motion of Mr. Hunnar was not agreed to—yeas 21, mays 28—as follows:

YEAS Mosers. Allen, Bayard, Benjamin, Bright, Clay, 6 avis, Pitzpatrick, Gwin, Hunter, Johnson of Arkansas, Jo canosaco, Jones, Pearce, Polk, Pagh, Reid, Bicc, Slatell, Bi

Ward—21.
NAYS—Mesors, Bates, Boll, Brodorick, Brown, Chandler, Chemut, Clark, Collamer, Dixon, Dsoulttle, Durkee, Fessenden, Fitch, Foot, Hale, Haulin, Harlan, Iverson, Mallory, Mason, Sebastian, Seward, Shielda, Simmons, Trumbull, Wade, Wilson, and Yeloe—23.

On motion by Mr. IVERSON, the Senate processing ideration of those bills of the House of Repre sentatives upon the private calendar to which no objec-tion should be made. The following were severally read Act to authorize the claimants in right of John Huer

tas to enter certain lands in Florida.

Act for the relief of Leonard Leonis.

Act for the relief of John F. Cannon.

Act for the relief of Francis Carver. Act for the relief of Robinson Gammo Act for the relief of Frederick Smith.

Act for the relief of David Watson.

Act for the relief of the representatives of Henry King Act granting an invalid pension to John Lee, of the

The following bills were severally laid on the table

Act for the relief of Margaret Whitehead.

Act for the relief of William Bullock.

Act for the relief of John C. Rathbun.

The House bill for the relief of Doctor George H. Howell was considered and Indefinitely postponed.

PROTECTION TO THE TRANSIT ROUTES.

A message was received from the President of the United States by Mr. Henry, his private secretary; which vas read.
[It will be found in another column.]

Mr. MASON ramarked that the recommendations made in this message were to be found in the annual message of the President, which was laid before Congress at the of the President, which was laid before Congress at the commencement of this session. That portion of the message was referred to the Committee on Foreign Relations, and that committee reported a bill to carry into effect the recommendations of the Executive. He presumed it was because that bill had not yet been acted upon that the President had thought it wise and proper to send in this special message arging upon Congress the passage of such a law. There might be found among senators some difference of opinion as to the exactions. passage of such a law. There might be found among senators some difference of opinion as to the expediency of adopting the legislation which the President recommended; but satertaining entire respect for the opinions of the Executive Department, and the recommendations which the Executive was bound to give to Congress, he should be disposed to consider that it was incumbent upon the Senate to give to that subject immediate consideration. He would propose, therefore, that the message be referred to the Committee on Foreign Relations, with the view of obtaining the opinion of the appropriate committee as to the expediency of acting upon the law reported to the Senate by them.

Mr. CLINGMAN said there were several things in that message that he approved very much; but he apprehended that there would be grass difficulty in carrying it out, and he thought the difficulty would be increased by some

and he thought the difficulty would be increased by some occurrences that had transpired within the last two years. occurrences that had transparences, he had introduced in 1856, after the Panams occurrences, he had introduced a bill authorizing the President to use force for the very a bill authorizing the President to use force for the very purpose named here, but it was voted down by a decided majority in the other house. Since then the only move-ments that had been made seemed calculated, in his judg-ment, to retard rather than advance the objects which we have in view. The President says he has no right to

have in view. The President says he has no right to fire a gun for the protection of our citizens in Nicaragua; but yet it must be remembered that Commodore Paulding went to that territory, not to packect our own citizens, but foreigners, and he has met with 120 censure whatever from the President; for the Executive message, while it says he gommitted a "grave cror," is devoted to praising his motives and excusing or palliating the act.

The only way to keep the transit routes in good condition is to have a body of troops there; and that we had agreed not to do. What was the next step? It seemed that there was an effort going on, according to the papers, on the part of our Executive to have a joint occupation by this country, Great Britain, France, and such other powthis country, Great Britain, France, and such other pow-ers as may come into the arrangement. The question then was, should we protect those lines in our own right, then was, should we protect those lines in our own right, or were we going into a joint occupation with Great Britain and other European powers? That presented a very important subject for our consideration. We must do one of two things: either cut loose from the obligations of the Clayton-Bulwer treaty and acquire the right to keep open the right of way between our Athantic and Pacific dominions, or we must have a joint occupation.

Mr. MASON impured where the senator from North Carolina got the idea, either of joint occupation between

Carolina got the idea, either of joint occupation between the United States and other powers, or of separate occu-pation by the Dailed States. Mr. M. said he had never heard of it.

Mr. CLINGMAN said he had seen things published in the newspapers of that kind. There was published last spring, and there has been published again lately, the projet of a treaty called the Cass-Yrrissani teaty. Did not the senator from Virginia know of such arrangements

being made?

Mr. MASON replied that he was utterly ignorant of any engagement, either made or prospective, with any European government, to occupy any portion of Central European government, to occupy any portion of Central America for any purpose. Occupation was one thing, and transient entering was another thing.

Mr. CLINGMAN thought it amounted to about the same during the time when two 3 were actually there.

Mr. BENJAMIN did not desire to have the subject re-

ire to have the subject re Mr. BENJAMIN did not desire to have the subject referred to the Committee on Foreign Relations again, as the committee had already had the subject makey consideration, and had reported upon it. There was a bill near on the calendar authorizing the President of the United States to use the public forces of the United States in the cases therein specified, and he preferred to take up that bill at once and act upon it. He was unwilling that any responsibility should rest upon him if, during the recess of Congress, it should turn out that, notwithstanding these repeated calls of the President, (which seem to suggest that he has information that makes him fear an attack upon the persons or property of American citizens

gest that he has information that makes him fear an attack upon the persons or property of American citizens, employed in peaceful passage over that transit, these chreatened evits should overtake us. He moved that all prior orders be postponed, and that bill taken up.

Mr. SEWARD chiected to giving the President powar to make war without first obtaining the assent of Congress; and the passage of this bill would transfer to him the power of making war and preserving peace.

Mr. FESSENDEN said that least year we gave the President now asks to have power granted him to make war or commence host. Hies against other nations. The principle is the same with these small powers as if they were large ones; and he did not choose to divest Congress of the power placed in its hands. We the constitution. He had not enough confidence in the present Excentive to the power placed in its hands "y the constitution. He had not enough confidence in the "recent Executive to do so, except in a case of the most us," ent necessity. But we are asked not only to do this, but to "9 it blindly. The President should send the facts and reas," as, if ot in open session, at least in executive session; and

the necessity was shown, Mr. F. might be willing to accede to the President's wishes.

Mr. DOUGLAS was rejeiced that the President had called the attention of Congress to this matter. He believed the President ought to have the power that he make. We have such interests that we ought to have and must have the highway to our Pacific possessions kept constantly open. In order to do that, we must neces-parily repose confidence in the Executive, for unless we

put this power in his hands we fall to accomp cets contemplated by the constitution. The President of the United States ought to have the power to redress adden injusies upon our citizens, and outrages upon our lag, without amalting the action of Congress. The exright and our duty to keep open these transit routes; said for any outrages on persons or property which did not admit of delay, we must give the President power to demand and enforce instant redress. This should be found not only with regard to the Central American States, but also with regard to Cubs. We have used constant troubles, and we have unsettled quarrels all the time with Spain, growing out of our connection with Cubs. The captain-general of island has ample authority to inflict injury us, but none to grant redress; and we must authority to enforce the release of a ship instantly, when it is seized at Havana, instead of going to Madrid, and then back to Havana and to Washington, like a cir-cumlocution office. Either this power must be conferred on the President, or we shall be driven out of the markets nd the ports of those countries. When a revolution reaks out, the revolutionists know that if they rob an inglish merchant or an English bank, a ship of-war with a there and batter down the walls of their city if redress be there and batter down the wails of their city if redress is not granted; but when the property of Americans is taken it only results in negotiation, and this never comes to a termination until the revolution is over, the existing government is furned out, and another party has to foot the bill—and half of the time the bill is never footed at all. Mr. D. proceeded to say that he would not confer this power for a single case, but for all cases-for the present Executive and his successors, no matter what their politics might be. He was glad the subject had come up, and hoped it would result in definite action. By granting this power, we should be saved from the precessive of often exercising it.

o necessity of often exercising it.

Mr. DAVIS could not concur with the view taken by
e senator from Himots. It might be very desirable to
otect American citizens, but there was a higher and a offer duty still, which was to preserve the constitution impaired. He could not see to what limit we night not run if the Executive should be invested with the cower to send the land and naval forces abroad, and power to send the land and naval forces abroad, and land troops wherever he may pleuse. Whenever ambition or any other unworthy passion might prempt him, he might involve this country in a disastrons war with England or France, and we might perhaps behold the humiliating speciacle of the flag of the United States troddlen under foot by a powerful nation, and the American Congress shrinking from its defence. Our fathers gave the Executive no such power; and if it was now necessary to go further than our fathers went, that fact only marks the decadence of the people. He would restrict the power to the single case that might be known to exist. He would prefer to bear such lils as arise from the improper treatment of our citizens abroad, and delay in obtaining justice, rather than surrender the great constitutional right of Congress to the discretion of the President. the President.

Mr. GREEN obtained the floor, but yielded to a motion adjournment; and The Senate adjourned.

HOUSE OF REPRESENTATIVES

There being no quorum present at the opening of the House—
Mr. JONES, of Tennessee, moved that there be a call
of the House; which motion did not prevail—yeas 50,

Mr. SEWARD, of Georgia, moved that the vote be re-nsidered by which the bill to authorize the transfer and ession of the government barmeks at Savannah, Georgia, to the city of Savannah, was laid on the table, and gave notice that, if the motion should prevail, he would move to amend the bill by providing that the property hall be offered at public sale, in whole or in part, after hirty days' notice, at a price not less than \$45,000. It was going to rack for the want of repairs. The motion to reconsider being agreed to, the amend-

ent was adopted and the bill passed.

BRITISH BRIG CALEDONIA.

Mr. HICKMAN, of Pennsylvania, from the committee conference on the disagreeing votes of the two houses a the bill for the relief of the capters of the British brig alcdonia in the war of 1812, submitted a report recommending that the House concur in the amendments of the Senate—in two of them with amendments—and that the Senate concur in the amendments of the House to their amendments: which was agreed to.

PRIVATE BILL

Mr. BURNETT, of Kentucky, on leave, reported from the Committee for the District of Columbia a bill for the enefit of William H. Degroot; and it was ordered to be rinted and recommitted.

THE ARMY-APPROPRIATION PILL

On motion of Mr. PHELPS, of Missouri, the House then went into Committee of the Whole on the state of the Union, (Mr. Jons Cochrane, of New York, in the chair.) and resumed the consideration of the bill making appropriations for the support of the army for the year ending June 30, 1860.

THE RECEIVITING SERVICE.

The pending question being the amendment of Mr. FAULENBR, of Virginia, to reduce the appropriation of one hundred thousand dollars for the recruiting service to minety thousand dollars, it was taken, and decided in

of Ohio, to strike out il. whole appropriation—
Mr. FAULKNER said he had submitted his proposi Mr. FAULKNER said he has summitted his proposi-tion in good faith. He was certainly the last person who would in any manner impair the condition of the public treasury, and he was not willing to see money voted un-less he could perceive that that money would be right-fully and properly applied, and was necessary for the public service. A few years ago the amount required for this service was but fifty thousand dellars, and he thought this service was but fifty thousand dollars, and he thought that the reduction he proposed would not operate against

the public interest.

Mr. PHELPS, of Missouri, explained that formerly the county paid to recruits had not been included in the appropriation, but of late it had been, and that accounted or its increase. The estimates had called for one hundred and ten thousand dollars, but, as there would be an nexpended balance at the end of the year of ten thou and dollars, the Committee of Ways and Means had only reported one hundred thousand dollars for this branch of

Mr. LOVEJOY, of Illinois, believed the whole policy ought to be changed and settlers permitted to settle apon the frontiers with the understanding that they must protect themselves; and if they got into any quarrel with the Indians, it would be at their own peril. It was his pinion that the soldiers created more wars than they prevented. They got up wars on purpose to have the cruy ordered out there, and the price of town lots raised in order that they might sell them. That was the whole use of the army in Utah. The frontiers did not need any protection, and the army was inefficient for

such a purpose, Mr. COMINS, of Massachusetts, moved to amend the Mr. COMINS, of Massachusetts, moved to amend the amendment by striking out the words "non-commissioned officers," stating that he agreed fully in the remarks submitted yesterday by Mr. Brancis, of North Carolina, that there was too great a disproportion between time afficers and the privates.

Mr. DAVIS, of Mississippi, opposed the amendment.

The question being taken, the amendment to the amendment was rejected; and the question recurring on the amendment of Mr. Stances.

Mr. BLES, of Obio, moved to amend the amendment by striking out the words "for the expenses of the recruiting service," remarking that the array of late had been used as a poss, which he claimed was illegal.

The amendment to the amendment was rejected; and the question being taken on the amendment of Mr. Stances, it was decided in the negative.

MILITARY RESERVATIONS.

Mr. WASHBURNE, of Illinois, moved to amend the appropriation for the pay of the army by adding at the end the words "and that a sufficient portion of this sum shall be used to prevent trespass on the military reservations of the United States." He offered the amendment in good faith, and hoped it would be adopted for the reain good faith, and hoped it would be adopted for the reason that it was known that the government possesses were being committed, destroying that value. He called attention to the military reservations at lock pland, one of the most beautiful spots on the face of the earth, which was being sought for by traspasses, speculators, and sharpers, and the timber carried off at the rate of our hundred cords a day. The War Department, although informed of the facts, had neglected to use the military m., as it should have done, for the purpose of preventing the traspasses. Something like this was necessary to make the retary of War protect these reservations.

Mr. FAILKNE, stated that the resclution which had been passed by the House, calling the attention of the

property. No reply had been received. He presumed the gentleman from Himois could hardly be serious in moving to apply a portion of the regular pay of the army for the purpose of protecting the receivations. He had no doubt, when they received a reply from the Secretary of War, the committee would be able to report upon the

HOUSTON, of Alabama, inquired whether it was rue the War Department permitted trospasses upon the nilitary reservations by any person who might want to ake timber from them, or otherwise destroy their

waine?

Mr. FAULENER replied that they had no knowledge to the committee. They did know that the laws of the land vested in the Secretary of War power to use the

Mr. WASHBURNE had information of the tresspar upon the reservation at Bock island one year ago, when he had addressed a letter to the Secretary of War in rela-tion to these trespasses, to which he had received the re-ply that he had no force at command by which he could

otect the island.

Messra FARNSWORTH, of Blinois, and BLISS, of

Ohio, advocated the adoption of the amendment, and Messra MARSHALL, of Kentucky, and HUGHES, of Indiana, opposed it. RESPONSIBILITY OF MEMBERS

Mr. LOVEJOY replied to the remarks of Mr. Lencuse, Virginia, submitted yesterday, defending the repubof Virginia, submitted yesterday, defending the republican party from the charge of responsibility in voting extravagant appropriations. Mr. Lereura had appealed to his side of the House, half scoolding and half expostulatory, and attempted to show that it was their duty to come up to the help of the democracy and vote the appropriation bills. If they removed the Secretary of the Treasury, the Secretary of War, reconstituted the committees, and gave his friends their full proportion, they would shoulder the responsibility of administering the government; but whilst they were crushed down, he insisted that the democracy had no right to say that they were destitute of patriotism and nationality. The democracy had got into a slough and might stick there till dooms day before his vote should help them out.

Mr. LETCHER said Mr. Evvzov had only noticed such points as he imagined had been made yesterday. It of Virginia, subne

ar. Listerical said sir. Livroy and only access
such points as he imagined had been made yesterday. It
would be recollected that the proposition which he discased was, that there was an individual responsibility
resting upon every individual member of the body, no
matter to what political party he belonged, for the discharge of the public duty devolved upon them as legislators. Did the gentleman deny that to be the fac?
Was he here without responsibility to his constituents or Was he here without responsibility to his constituents or

he country f

Mr. LOVEJOY acknowledged his responsibility, and

was fully upon the record.

Mr. LETCHER contended that if he acknowledged his responsibility he could not undertake to get rid of the responsibility which devolved upon his party, for it was made up of individual members who acknowledged their responsibility. He was ready to take his responsibility, and the gentleman must take his share of responsibility. But he had charged that the Speaker had made the committees unfairly. Would the gentleman go take to the last Congress, and tell him the manner in which

to the last Congress, and ter from the manner in which the committees were made then? Mr. LOVEJOY understood, though he was not a men-ber then, that the Speaker was ultra liberal to the demecratic side of the Ho Mr. LETCHER. Take the Committee of Ways and

ade his point upon the gentleman from Illinois.

Mr. MARSHALL said he thought Mr. Laromen had conluded, or he would not have raised it.

The CHAIRMAN sustained the point of order.

The question was then taken on the amenda Mr. Washburne, and it was rejected. BREVET COMPENSATION.

Mr. FAULKNER moved that the appropriation for the pay of the army be reduced thirteen thousand dollars, for the purpose of cutting off the pay and emoluments attached to the brevet rank.

tached to the brevet rank.

Messrs. RONHAM of South Carolina, HUGHES of Indiana, STANTON of Ohio, MARSHALL of Kentucky, PHELPS of Missouri, and NICHOIS of Ohio opposed the amendment: whilst Messrs. G. "DINGS of Ohio, CURTIS of Iowa, and LOVEJOY of Illinois were in favor thereof; when the question being taken, the amendment was rejected—ayes 45, noes 80.

PROPOSED REDUCTION OF PAY Mr. BLAIR, of Missouri, moved to add to the end o the item for the pay of the army a provise that the pay of the officers be restored to the rate which existed previ ous to the act of 1857, increasing the pay of the officers.

Mr. CHAFFEE, of Massachusette, raised a point of or
der that this amendment proposed to change existing

The CHAIRMAN decided the point of order to be well

Mr. FAULKNER then moved to reduce the appropria-tion of \$98,434 50 for commutation of officers subsist-ence in the sum of \$60,000, being the amount required for tra rations to those in command of extra posts.

Mesers. PHELPS of Missouri, DAVIS of Maryland, and

HUGHES of Indiana opposed the amendment.

Mr. STANTON, of Ohio, moved to amend the amendment by adding to the item, "and the sum of \$60,000 which is taken from the amount estimated for the commutation of officers' subsistence shall be deducted from the extra rations allowed to commundants of military

Mr. FAULKNER accepted the amendment as a modification of his own; which was then agreed to.

Mr. FAULKNER next moved to reduce the appropriation of \$1,840,000 for supplies in the Quartermaster's department in the sum of \$400,000, for the purpose of reducing the number of horses in that department, by minsing to appropriate a sufficient sum for their forage

REDUCTION IN LABORERS.

Mr. FAULKNER also moved to reduce the appropria-tion of \$500,000 for the incidental expenses of the Quar-ternaster's department to \$450,000, for the purpose of reducing the number of laborers employed in that de-Mr. PENDLETON, of Ohio, moved to amend the

amount by adding the words, "and the amount shall be deducted from the amount satinated for the pay of laborers in the Quantermaster's department."

Mr. FAULKNEE accepted the amendment as a modifi-cation of his own; which was then adopted.

INCIDENTAL EXPENSES.

Mr. HUGHES, of Indiana, moved that the entire appropriation of \$500,000 for the incidental expenses of the Quariermuster's department be stricken out, on the ground that it was indefinite; and if there was any economy to be accomplished in the expenses of the army, he was clearly of the opinion that it was to be done in this and the Commissary departments.

The question being taken, the motion was rejected.

BARRACES, QUARTERS, AND REPAIRS.

Mr. PHELPS, of Missouri, moved to strike Mr. PHELPS, of Missouri, moved to strike out the appropriation of \$700,000 for the construction of barracks and other buildings, repairs, hire of quarters and siore-houses, and temporary frontier stations, and insert a clause appropriating for barracks and quarters, rent of rooms, store-houses, and grounds for summer cantonments, \$100,000; for repairs of barracks and other building in the States east of the Mississippi, \$20,000; for the construction and repair of barracks and other buildings it the gyeral posts which are or may be established in the States of Wisconsin, Missouri, and Minnesota, and the Territories of Kansas and Nebraska, and the Indian Territory, \$70,000; in Texas, \$40,000; in New Mexico, \$45,000; in California and Oregon, and the Territory of Washington, \$80,000; in Utah, \$150,000—making in all an aggregate amount of \$505,000; pending which—On motion of Mr. CRAIG, of Missouri, the committee rose—ayes 69, noes 55.

osc ayes 69, noes 55.

ANOTHER INVESTIGATING COMMITTEE Mr. NICHOLS, of Ohio, stating that he rose to a ques on of provilege, offered the following resolution: Whereas, in the correspondence of the New York Daily Times, signe, under date of the 15th February, 1859, as also to the correspondence Whereas, in the correspondence of the New York Delly Times, sinced, vinder date of the 16th February, 1859, as also in the correspondence of other palerts, it is charged that a member of the Committee on accounts of this House mader a bargain to receive underly it a not better than the palerts, it is charged that a member of the Committee on the palerts of the Committee on the palerts of the consultations for shad committee on the palerts of the consultation for shad committee on a palert of the consultation for shad committee of a rate to give rices a not whatever a is further alleged that a member of said committee on agree to give a critical of the tells before said committee in consideration for their likewance by the armset therefore, but it is also the proposed to investigate, and charges of charges, said committee to recycle before the close of the present session of Congress.

Mr. BURNETT, of Kentucky, said he was always in a very of twentucky charges of abuses or corruption are one of the present session of consistency in the condition of the present session of corruption of abuses or corruption.

ade, nor was the member whose conduct was to be in-estigated named.

Mr. LETCHER, of Virginia, suggested the propriety of

riking the committee constit of one member, who might st through in the twelve days of the session remaining ic did not believe the five would.

Mr. NICHOLS said he offered the resolution in goo Mr. JOHN COCHRANE, of New York, suggested that

time.

Mr. NICHOLS accepted the suggestion.

Mr. BURNETT said he was not opposed to investigations when properly presented, but he insisted this was not a question of privilege.

Mr. PHELPS, of Missouri, hoped the committee would be made to consist of three members instead of five.

Mr. NICHOLS would not consent to the change.

Mr. SICKLES, of New York, said the change amounted to this: That the man who wrote a letter one year ago making a statement, to-day makes an affidavit that that statement was a forgery.

that statement was a forgery.

Mr. MOBGAN, of New York. The gentleman from New York ought to be the last man to say that.

The SPEAKER decided the resolution to involve the

privileges of the House.

Mr. NICHOLS, stating that it was due to the House. that the subject should be thoroughly sifted, demanded the previous question.

The previous question being sustained, the resolution was then agreed to.

PUBLIC PRINTING.

On motion of Mr. SMITH, of Tennessee, the joint res-olution of the Senate in relation to the printing of the Senate and House of Representatives was referred to the Committee on Printing. And then the House adjourned.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, FEBRUARY 18, 1859.

No. 76 of December term, 1857. John N. Ahl, appellant, vs. Roswell B. Johnson; and
No. 77 of December term, 1857. John B. Irvine, appellant, vs. Wm. R. Marshall, « al. Mr. Cooper, of counsel for the appellants, moved the court to reform the mandates issued in these cases and have them directed to the district court of the United States for the district of Minnesota.

Minnesota.

No. 242. The United States, appellants, vs. Chas. Fossat. The motion of Mr. Bayard, of counsel for the appelice, to dismiss this cause, was set down for argument on next Friday, the 25th inst.

appellant, nied the amdavit of A. G. Mitchell, esq., that the value of the property in dispute is upwards of two thousand dollars, moved the court to reconsider and de-cide the case upon its merits. No. 18. Thos. Mechan, a al., plaintiffs in error, vs. Rob't Forsyth. Mr. Ballance, of counsel for the plaintiffs in error, moved the court for leave to withdraw the rec-eated in this case.

in error, moved the court for leave to withdraw the record in this case.

No. 20. Chas. Ballance, appellant, w. Rob't Forsyth, at. Mr. Ballance, of counsel for the appellant, moved the court to reargue this case on the stipulation filed.

No. 24. Lloyd N. Rogers, administrator, &c., appellants, w. Henry May, administrator, &c. and No. 27. Lloyd N. Rogers, administrator, &c., et al., appellants, w. Joseph E. Law, by Mary Robinson, his next friend. The motion of Mr. Brent, of counsel for the appellees, to dismiss these cases was set down for argument on next Friday, the 25th inst.

No. 67. William Fenn, plaintiff in error, z. Peter H. Holme. The argument of this cause was concluded by

Mr. Gamble for the plaintiff in error,
No. 68. Alton R. Easton, plaintiff in error,
No. 68. Alton R. Easton,
No. 68.

r the defendant in error.
Adjourned until Monday, 11 o'clock, a. m.

A FAILURE.-Mr. Webster's statue, by Powers, is rived at Boston and set up pro tempore in the hall of the Atheneum. It is ugly enough to satisfy the worst ene-mies of that gentleman if he have any. It seems to have no merit whatever, excepting that of a very ugly have no merit whatever, excepting that of a very ugly likeness of his face. It makes no pretensions to be portrait of his person. We all know that Mr. Webster was rather under than above the middle size, with broad shoulders, short legs, and a fair, round corporation. These disadvantages of proportion set off his fine, large head all the more. By giving him a perfectly well-proportioned body, the artist has made the head look nothing out of the common. And, in his best days, Mr. Webster a face was very bandsome, and with a fine tone of expression. Nobody would imagine this from the statue. The expression is surly and sulky.

tion of the New York Central, at the Washington rail-

fringement of agreement is securing an increased business to the Central road.

Under these circumstances, Mr. Moran, of the Erie, who appears to be honestly endeavoring to secure a faithful observance of the contract, has given notice to the other lines of his firm intention to withdraw from the agreement entirely, if the matter is not satisfactorily arranged at the adjourned meeting of the four lines to be held here on the 23d inst.

WASHINGTON'S MEMORY. - An agent of the British Mus Waristron's Mamony.—An agent of the British Muse-oun has collected, in Philadelphia, four hundred different printed hiographies of Washington. If to this we add the purchase of Mount Vernou, the monuments at Rich-mond, Washington, Baltimore, and the projected mon-uments in Philadelphia, New York, and elsewhere, the uments in Paladelpina, New Lora, and casewice, the statues of Greenough and Bartholomew, and the one now in progress by Glark Mills, the erection of a Terri-tory bearing his name, and also the capital of the nation with the same title, together with innumerable counties, towns, societies, lodges, institutions, ships, steamboats, &c., it would seem as though we had not quite forgotten Washington.

ORIESTAL THEOLOGY .- The Queen of Oude, taking ORIENTAL TREODORY.—The Queen of Oude, taking of fence at the recent Indian proclamation of the Queen of England, has issued a counter-proclamation, in which, among other subjects, the dusky lady refers to the generally-accepted Christian theology, and finds the same stumbling block over which the Unitarians trip—the doctrine of the Trinity. She observes, in this connexion, that "that religion is the true one that reloguises but a single God, and can acknowledge none other. But when there are three Gods in one religion, neither the Mohammedans, the Hindoes, the Jews, the Sun-worshippers, nor even the Fire-worshippers, can believe it to be true." Ax Azy Treasure.—There is almost sacred clay in

barrel in Albany. The material used by the sculptor Brown in modeling his colossal statue of Clinton was afterward sent to Palmer and used by him in the model of his "Indian Girl" and the "Dream of the Spirit's Flight." A portion of it was subsequently used by Thompson, of this city, (he has for eight years finished Palmer's marbles,) in the making of his medallions of Little Nell." REVERSING THE COURSE OF TRADE.—Buffalo, claiming to be the greatest grain market in the world, is just now whort of grain, and Buffalo agents have been in the towns up the Genesse Valley purchasing corn, costs, and even barley, for that city. There is probably baff a million bushels of wheat in the elevators at Buffalo; but other grains are short, and consumers, who have hither to relied on deposits under there from the West, in the fall, are compelled to go eastward into the interior for simplifies. REVERSING THE COURSE OF TRADE. Buffalo, claiming

rm, as it should have done, for the purpose of preventing the this was necessary to make the received on the purpose of preventing the trespasses. Something like this was necessary to make the received on t

SATURDAY, FEBRUARY 19, 1859.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The following message was transmitted from the Pres ident of the United States to Congress yesterday :

To the Sensie and House of Representatives;
The brief period which remains of your present session, and the great urgency and importance of legislative action, before its termination, for the protection of American citizens and their property whilst in transit across the Isthmus routes between our Atlantic and Pacific sessions, render it my duty again to recal, this subject to your notice. I have heretofore presented it in my annual messages, both of December, 1857 and 1858 which I beg leave to refer. In the latter I state that the executive government of this country, in its interourse with foreign nations, is limited to the employ ment of diplomacy alone. When this falls it can ceed no further. It cannot legitimately resort to force without the direct authority of Congress, except in resisting and repelling hostile attacks. It would have no authority to enter the territories of Nicaragoa, even to revent the destruction of the transit and lives and property of our own citizens on their passage. It is true that on a sudden emergency of this character the President would direct any armed force in the vicinity to march to their relief, but in doing this he would

act upon his own responsibility. " Under these circumstances, I carnestly recto Congress the passage of an act authorizing the President, under such restrictions as they may deem proper, to employ the land and naval forces of the United States in preventing the transit from being obstructed or closed by lawless violence, and in protecting the lives and property of American citizens travelling thereupon, requiring at the same time that these forces shall be withdrawn the moment the danger shall have possed away. Without ach a provision our citizens will be constantly exposed to interruption in their progress, and to lewiess violence "A similar necessity exists for the passage of such an act for the protection of the Panama and Tehuantepec routes.

Another subject, equally important, commanded the

ttention of the Senate at the last session of Congress The republics south of the United States on this continent have, unfortunately, been frequently in a state of next Friday, the 25th inst.

No. 292. James D. Porter, et al., plaintiffs in error, etc. Bushrod W. Foley. Mr. Ewing, of counsel for the plaintiffs in error, moved the court for an order remanding the record in this case to the court below, with permission to amend the writ of error and citation by making them returnable to the first day of the next term, &c.

No. 9. Deart Richmond, appellant, etc. The City of Milwaukie, et al. Mr. J. 8. Brown, of counsel for the appellant, filed the affidavit of A. G. Mitchell, esq., that the value of the property in dispute is upwards of two and exacted money from American citizens by forced of Great Britain, France, and other countries, possessing the war-making power, can promptly en ploy the necessary means to enforce imp for similar outrages upon their subjects. Not so the executive government of the United States. If the President orders a vessel-of-war to any of these ports to demand prompt redress for outrages committed, the offending parties are well aware that in case of refesal the commander can do no more than remonstrate. He can resort to no hostile act. The question must then be referred to diplomacy, and in many cases adequate redress can never be obtained. Thus American citizens are deprived of the same protection, under the flag of their ountry, which the subjects of other nations enjoy. The emedy for this state of things can only be supplied by Congress, since the constitution has confided to that body alone the power to make war Without the authority of Congress, the Executive cannot lawfully direct any force, however near it may be to the scene of difficulty, to enter the territory of Mexico, Nicaragua, or New Granada, for the purpose of defending the persons and property of American citizens, even though they may be violently assailed whilst pass ing in peaceful transit over the Tehuantepec, Nicaragua, or Panama routes. He cannot, without transcending his onstitutional power, direct a gun to be fired into a port, or land a seaman or marine to protect the lives of ou countrymen on shore, or to obtain redress for a recent outrage on their property. The banditti which our neighboring republic of Mexico, always claiming to belong to one or other of the hostile parties, might make a sudden descent on Vera Cruz or on the Tehuantepec route, and he would have no power to employ the force on ship board in the vicinity for their relief, either to prevent

the plunder of our merchants or the destruction of the In reference to countries where the local authorities are strong enough to enforce the laws, the difficulty here indicated can seldom happen; but where this is not and convention, of violating the agreement of the four mes by the free delivery of goods in New York, it is the case, and the local authorities do not possess the aid the practice is still continued. The Hudson River physical power, even if they possess the will, to protect strond, which units the Central with the New York our citizens within their limits, recent experience has railroad, which units the Central with the New York
City from Albany, denies that they have anything to do
with this free drayage, although it seems certain that no
charges have been made for the service to consignees.

The service of the service to consignees,
the service of the service of the war making power to the the free delivery belong to officers and employees of the Hedson River Company. It is also stated that the in-Executive, but only as an appropriate exercise of that our citizens lost their lives, furnishes a pointed illustration of the necessity which may arise for the exertion of

this authority.

I, therefore, carnestly recommend to Congress. on this authority. whom the responsibility exclusively rests, to pass a law before their adjournment conferring on the President the power to protect the lives and property of American citizens in the cases which I have indicated, under such restrictions and conditions as they may deem advisable.
The knowledge that such a law exists would of itself go far to prevent the outrages which it is intended to re dress, and to render the employment of force unnecessary. Without this the President may be placed in a painful present disturbed condition of Mexico, and one or more of the other republics south of us, no person can foresee what occurrences may take place before that period. case of emergency, our citizens, seeing that they do not enjoy the same protection with subjects of European govnents, will have just cause to complain. other hand, should the Executive interpose, and especially should the result prove disastrons, and valuable lives be lest, he might subject himself to severe consure for having assumed a power not confided to him by the con-stitution. It is to guard against this contingency that I

now appeal to Congress. which I deem necessary and expedient for the interest dimensions of 1840 or 1803; who would confine its and honor of the country. I leave the whole subject to operations within the narrow horizon of their own

and honor of the council, their wisdom and discretion, JAMES BUCHANAN. WASHINGTON, February 18, 1859.

MADAME MARIO'S LECTURE. Madame Mario lectures again to-night at Phil-

concerning the future of Italy, it is a country aboundesting. We have an impression that Italy is not the tomahawk and mercies of the savage.

and forty of the inmates of the State prison have pro-fessed conversion during the past year, and their daily conduct warrants the belief of their sincerity.

The second of th

SKELETON" STATESMANSHIP There is no subject on which a citizen of the Unis d States, instinct with the emotions of patriotism, can take so much pleasure as the expansion of our country. We live in an age of great events and mighty development. Our progress is not that of conquest or of arms, of violence or wrong; but it is

in the righteous fulfilment of the divine injunction to be fruitful and multiply, to go forth and occupy the face of the earth. In nothing has Providence vouchsafed its benefaction to our country so liber ally or so significantly as in preserving us from the courge of foreign war and interaccine conflicts : and directing the whole thoughts, aspirations, and activities of our people into the channels of peaceful progress and material development.

Planted in the centre of a great continent in a region prolific of every product, animal and vegetable that can flowigh between the snows of the scelle and the heats and missues of the tropical zones; with the Atlantic on one hand, the Pacific on the other, and great streams in the interior, tempting to universal commerce; inhabiting a country presenting all the varieties of soil and surface, of ten perature and crop, which the most diversified agriculture could require-a country teeming, more over, with every valuable and precious mineral prized in the arts or in commerce; located, too, midway between the dense effete civilizations of Asia and the iron despotisms of Europe; looming up as a land of promise to the longing gaze of the downtrodden populations in both continents; with an active and rapidly-developing system of marine transportation, bringing us into quick and facile contact with these people on either hand; and accumulating a wealth of cash capital, which at last begins to be comsurate with our vast material and industrial resources,-it is impossible that our progress should not be the most rapid and stupendous that was ever known before in the career of civilization.

It has not been fifty years since ours was one of the most diminutive powers of Christendom, and since the great European powers regarded every mark of consideration which they vouchsafed to us as an act of patronizing condescension. At | resent no power on earth can bring into the field, to meet any great exigency of State, after due time for preparation, a more powerful army or navy, or carry on a great contest with greater wealth of resources in men, money, or supplies. Our population and power even now almost doubles that of any one of the great powers which took the field against Napoleon in the second decade of the century ; and, if we are not at this day the greatest power on the globe, it is certain that we rank among the few great leading

It is not recollected by many that this rapid growth, and this rise in rank among nations, has not been regular and gradual; but that, while it has, in deed, been constant from the beginning, it has nevertheless been in great part sudden within the period of fifteen years past. Many financial causes concurred in depressing the energies and retarding the development of the country during the period which intervened between the close of the last war with Great Britain and the annexation of Texas. It has been only since the latter event, which we refer to as a historical period, and not as a producing cause, that the most marked and astonishing development of the country has occurred. The action of railroads, of ocean and river steam navigation, of the telegraph, and of the thousand and one inventions and perfections that have been made in machinery and the arts, has been the producing cause of this marvellous development and expansion of our country; and these agencies had told with comparatively little effect before 1844. That was about the period in which our people first began to apprehend the extraordinary destinies which were opening to the republic; and it has been since that period that American civilization has been carried across the vast central regions of the continent and planted on the shores of the Pacific.

It was the masculine mind of Jefferson which first conceived the probability of this result; and it was by his procurement that the expedition of Lewis and Clarke was sent out, early in the century, to explore and take possession, in our name, of the valley of the Columbia or Oregon river. But how far did his inspired prescience outsirip th riot at Panama in 1856, in which a great number of of the common mind! Even twenty years after, or only thirty-five years ago, a representative, of great infin ence and intellect from Virginia, exerted himself with unwonted zeal to induce Congress to occupy Oregon and our l'acific coast in such manner as would render our title good against all the world to the line of '4 '40', which we claimed. His measure was prononneed visionary and chimerical, and was lost in a House which rejected it because it could not realize that our institutions would ever reach those distant shores. The consequence has been, that we lost six degrees of latitude, the gold mines of the Fraser position before the meeting of the next Congress. In the river, the beautiful Island of Vancouver, (which is the Long Island of the Pacific,) and have been required to concede to Great Britain the free navigation of the Columbia, one of our greatest rivers. What if Great Britain owned Long Island and possessed the free navigation of the Hudson !

The parrow views of the men of 1823 were exensable however, in comparison with those of the men of our own times, who would still dwarf the country in spite of its subsequent history. There are men of miniature vision at present in our Having thus recommended to Congress a measure public councils, who would dwarf the Union to the intellectual vision : who would reduce its army and navy to "skeletons;" who would strip the country itself of the thews and sinews of power, of the flesh and blood of comeliness, and confine and coffin it up forever, as if it were a ghastly skeleton of dry bones. parmonic Hall on "Italy and her Struggles for Free- They would not merely, like the House of 1823, leave dom." Whatever may be the theory of individuals our domain itself to be occupied and held by the for eigner, but they would, in the name of economy, ing with interest; and a lecture upon it by a person of abandon the enterprising pioneers who, with more experience and mind, cannot fail to be deeply inter- public spirit, go out to possess and inhabit it, to the

field upon which the great struggles for freedom are | Within the last two years chains of overland to come off in the future. There is no unity of senti- mail posts have been established from our westment and purpose amongst the Italian States. But ern Mississippi settlements to the Pacific States Madamo Mario has had a long personal observation, a half dozen formidable Indian wars have been and as she is a lady of most decided ability, and is suppressed at different points of our immensegoverned by the very best intentions, her lectures by extended frontier; and the formidable repulcannot be otherwise than valuable and interesting. Hon of an erotic band of adulterers and seets cers who had planted themselves in the heart of our The Trenton (N. J.) Democrat says that between thirty territory and on the direct path of our communicaat a temporary increase in the public expenditures